

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

EDDIE OGLETREE, an individual;)
GERALD STEPHENS, an individual)
)
Plaintiff,)
)
vs.)
)
CITY OF AUBURN, a municipality in The)
State of Alabama; LARRY LANGLEY, an)
individual; LEE LAMAR, an individual;)
BILL HAM, Jr., an individual; STEVEN)
A.REEVES, an individual; BILL JAMES,)
an individual; CHARLES M. DUGGAN,)
an individual; and CORTEZ LAWRENCE,)
an individual;)
)
Defendants,)

**CIVIL ACTION NO:
3:07-cv-867-WKW**

JURY TRIAL DEMANDED

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

CHRIS E. TURNER,)
)
Plaintiff,)
)
vs.)
)
CITY OF AUBURN, a municipality if The)
State of Alabama; LARRY LANGLEY, an)
individual; LEE LAMAR, an individual;)
BILL HAM, Jr., an individual; STEVEN)
A.REEVES, an individual; BILL JAMES,)
an individual; DAVID WATKINS, an)
individual; CHARLES M. DUGGAN, an)
individual; and CORTEZ LAWRENCE,)
an individual;)
)
Defendants,)

CIVIL ACTION NO: 3:07cv162-MEF

JURY TRIAL DEMANDED

**PLAINTIFFS' RESPONSE TO THE DEFENDANTS' OPPOSITION TO THE
PLAINTIFFS' MOTION TO CONSOLIDATE FOR DISCOVERY PURPOSES**

COME NOW the Plaintiffs, through counsel, and respond to the Defendants' Opposition to the Plaintiffs' Motion to Consolidate for Discovery Purposes as follows:

1. As this Court is well aware, all individual and municipal Defendants are exactly the same in both of the above referenced cases.
2. Although there are a few differences in the individual claims, largely, the Complaints filed for each Plaintiff are almost identical, and the discrimination claims asserted by the Plaintiffs are identical.
3. Each of the Plaintiffs are alleging the denial of promotions and disparate treatment against the exact same Defendants for the exact same motivations.
4. If the cases are not consolidated for discovery, each deposition taken will have to be duplicated at some point. Aside from repetitive testimony, this is going to create a significant scheduling problem since both cases are proceeding at the same time. Judicial Economy is best served by scheduling each deposition once and allowing all attorneys to examine the deponents at one sitting.
5. Furthermore, all documents will have to be produced twice.
6. More importantly, as with any case, discovery issues will arise which may require Court intervention. If the cases are not consolidated for discovery, each of the parties runs the risk of inconsistent discovery rulings.

WHEREFORE, Plaintiffs respectfully request that the Plaintiffs Motion for Consolidation for Discovery Purposes is granted.

Respectfully submitted,

/s/ Richard F. Horsley
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CERTIFICATE OF SERVICE

I, Richard F. Horsley, do hereby Certify that a true and correct copy of the foregoing has been furnished by electronic mail and U.S. Mail (manner of service, i.e., U.S. Mail, electronic mail, etc.) on this 29th day of January, 2008, to:

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